

AMENDED IN SENATE MAY 17, 2007
AMENDED IN SENATE APRIL 23, 2007
AMENDED IN SENATE APRIL 16, 2007

SENATE BILL

No. 70

Introduced by Senator Florez

January 17, 2007

An act to add Article 5 (commencing with Section 39870) to Chapter 1 of Part 23.5 of Division 3 of Title 2 of the Education Code, and to add Section 43861 to the Health and Safety Code, relating to biodiesel.

LEGISLATIVE COUNSEL'S DIGEST

SB 70, as amended, Florez. Biodiesel.

Existing law generally regulates schoolbuses for transportation purposes.

This bill would ~~encourage~~ *authorize* school districts to use a biodiesel fuel blend to operate all of the diesel-powered schoolbuses under their control if certain conditions are met.

Existing law generally regulates biodiesel and biodiesel blend fuels.

This bill would ~~encourage~~ *authorize* the use of a biodiesel fuel blend to operate diesel-powered vehicles owned or leased by the State of California, by a city, county, or city and county, or by a mass transit district, if certain conditions are met.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Article 5 (commencing with Section 39870) is added to Chapter 1 of Part 23.5 of Division 3 of Title 2 of the Education Code, to read:

Article 5. Schoolbus Fuel

39870. (a) (1) A school district ~~is encouraged to~~ *may* use a biodiesel fuel blend ~~of up to greater than B20~~ to operate all of the diesel-powered schoolbuses under its control if all of the following conditions are met:

(A) Biodiesel blend fuel is cost competitive and readily available, as determined by the school district.

(B) The State Air Resources Board finds and determines in a public hearing that the use of biodiesel fuel will not result in any increase in an air pollutant or toxic air contaminant, based on a full life cycle analysis of those emissions which quantifies emissions from the production, distribution, sale, and use of the fuel.

(C) The use of the fuel will not result in the voiding of any warranties for engines or air pollution control equipment.

(2) If a school district contracts with another government entity or private entity to provide transportation services for any of its pupils, paragraph (1) shall apply to that contract. However, this requirement shall apply only to contracts entered into on or after January 1, 2008.

(b) The State Air Resources Board authorized pursuant to Section 39510 of the Health and Safety Code shall implement and administer this section.

SEC. 2. Section 43861 is added to the Health and Safety Code, to read:

43861. (a) ~~All vehicles owned or leased by the~~ *The State of California, by a city, county, or city and county, or by a mass transit district, that use diesel fuel are encouraged to use biodiesel fuel up to B20 may use a biodiesel blend greater than B20 to operate vehicles it owns or leases* if all of the following conditions are met:

(1) Biodiesel blend fuel is cost competitive and readily available, as determined by the state, regional, or local agency.

1 (2) The State Air Resources Board finds and determines in a
2 public hearing that the use of biodiesel fuel will not result in any
3 increase in an air pollutant or toxic air contaminant, based on a
4 full life cycle analysis of those emissions which quantifies and
5 takes into account the emissions from the production, distribution,
6 sale, and use of the fuel.

7 (3) The use of the fuel will not result in the voiding of any
8 warranties for engines or air pollution control equipment.

9 (b) If a blend of biodiesel is used pursuant to subdivision (a),
10 that blend may contain ~~at least~~ *more than* 20 percent nonpetroleum
11 constituents.

12 (c) The State Air Resources Board shall establish a program
13 that implements and monitors the requirements of this section.